



Snohomish County

PLANNING & DEVELOPMENT SERVICES

M/S #604

DETERMINATION OF NONSIGNIFICANCE

Proponent: Snohomish County Department of Planning & Development Services
County Administration West Building
3000 Rockefeller Avenue, M/S 604
Everett, WA 98201

Description of Proposal: Proposed ordinance to amend the Snohomish County Code titled:

RELATING TO THE UNIFIED DEVELOPMENT CODE, AMENDING CHAPTERS 30.22, 30.23, 30.23A, 30.28, 30.31A, 30.32A, 30.41C, 30.41F, 30.42B, 30.61, 30.66B, 30.71 AND 30.91L SCC TO CORRECT INADVERTANT ERRORS, DELETETIONS, AND INCONSISTENCIES RESULTING FROM UPDATES TO THE UNIFIED DEVELOPMENT CODE TITLE 30 SCC

Proposed amendments:

The action amends Title 30, Unified Development Code, to include the following:

Sections 1, 2, and 3. Recitals, Findings of Fact, and Conclusions.

Section 4. Amendments to SCC 30.22.100 are necessary to add a superscript to the "P" listed for the use "dwelling, single family" in the Mobile Home Park (the "MHP") zone to cross-reference note 4 in SCC 30.22.130 that was not included in Ordinance No. 09-096.

Section 5. Amendments to SCC 30.22.110 and SCC 30.22.120 are necessary to consolidate reference notes 11, 64, and 84 into one reference note, reference note 11, and change the cross reference to the entire section SCC 30.28.050. Notes 11, 64, and 84 all reference subsections of SCC 30.28.050.

Section 6. Amendments to SCC 30.22.130 are necessary to correct incorrect cross-references in SCC 30.22.130(18)(h) and SCC 30.22.130(41). SCC 30.22.130(64) and SCC 30.22.130(84) are consolidated into SCC 30.22.130(11). SCC 30.22.130(11) is amended to change the cross-reference from SCC 30.28.050(1) to SCC 30.28.050.

Section 7. Amendments to SCC 30.22.130 are necessary to correct incorrect cross-references in SCC 30.22.130(18)(h) and SCC 30.22.130(41). SCC 30.22.130(64) and SCC 30.22.130(84) would be deleted as they are duplicative with SCC 30.22.130(11). SCC 30.22.130(11) would be amended to change the cross-reference from SCC 30.28.050(1) to SCC 30.28.050.

Section 8. Amendments to SCC 30.23.030 are necessary to restore reference note 22 to the "Minimum Lot Area" column heading that was incorrectly deleted by Ordinance No. 05-094.

Section 9. Amendments to SCC Figure 30.23.040(59) are necessary to change "stepback" to "setback" to correct terms.

Section 10. Amendments to SCC 30.23.050(2) are necessary to add turrets to the list of architectural features or structures exempt from the maximum building height. Amendments to SCC 30.23.050(4) are necessary clarify the use of fill in establishing building height provisions that are difficult to interpret and implement and add new subsections (5) and (6). Amendments to SCC 30.23.050(7) are necessary to re-number the subsection due the addition of subsections (5) and (6). Amendments to add a subsection SCC 30.23.050(8) are necessary to restore a code subsection that was inadvertently excluded from Ordinance No. 08-101.

Section 11. Amendments to SCC 30.23A.020(1) are necessary to clarify the list of exemptions and eliminate confusing code language regarding applicability of chapter 30.23A SCC to townhomes, attached single family, and multiple family structures that are destroyed and applicability of the provisions to remodels of existing single family detached and duplex structures.

Section 12. Amendments to SCC 30.23A.080(1) and (4) are necessary to clarify that the term “tract” applies to subdivisions and short subdivisions as the provisions of the section apply to not only platted lots but single family detached unit development and multiple family development which do not have lot lines that allow for the creation of tracts. Amendments are also necessary to clarify that individual privately owned yards may not be counted towards on-site recreation requirements.

Section 13. Amendments to SCC 30.23A.100(1) are necessary to clarify that a site plan submitted under chapter 30.41F and 30.42B shall be combined with an administrative site plan required under chapter 30.23A SCC.

Section 14. Amendments to SCC 30.28.010(5) and (6) are necessary to correct an incorrect code cross-reference with chapter 30.25 SCC. An amendment to SCC 30.28.010(2) is necessary to address an inconsistency between subsections (2) and (10). Deleting SCC 30.23.010(10) is necessary to resolve a conflict with the provisions in subsection (2).

Section 15. Amendments to SCC 30.31A.200 are necessary to: 1) add the Neighborhood Business (NB) zone for consistency, since chapter 30.31A SCC pertains to Planned Community Business (PCB), Business Park (BP), Industrial Park (IP), and NB zones; 2) correct an incorrect cross-reference related to county-initiated area-wide rezones to BP, IP, and PCB from chapter 30.71 and a Type 2 process to 30.73 and 30.74 and a Type 3 process; and 3) add NB to the list of zones exempt from submitting a site plan for county-initiated area wide rezones.

Section 16. Amendments to SCC 30.31A.220 are necessary to add NB to the list of applicable zones and maintain consistency with other provisions in chapter 30.31A SCC.

Section 17. Amendments to SCC 30.32A.010(2)(b) are necessary to correct the notification distance from 300 to 500 feet to be consistent with SCC 30.32A.210.

Section 18. Amendments to SCC 30.41C.080(4) are necessary to change a cross-reference from SCC 30.41A.210 to chapter 30.24 SCC.

Section 19. SCC 30.41F.040(4) is added to clarify that a Single Family Dwelling Unit (SFDU) administrative site plan does expire consistent with an administrative site plan under chapter 30.23A SCC.

Section 20. SCC 30.41F.070 is repealed as it is superseded by the open space requirements in SCC 30.23A.080 and retention of the section creates confusion as to the applicable standard.

Section 21. Amendments to SCC 30.42B.020(3) are necessary to correct an incorrect cross-reference to a policy contained in the county's Growth Management Act Comprehensive Plan (the "GMACP") that was changed as part of the Ten-Year Update.

Section 22. Amendments to SCC 30.61.230 are necessary to remove references to documents that no longer are in effect or were repealed through prior council actions.

Section 23. Amendments to SCC 30.66B.035 are necessary to change a cross-reference from SCC 30.61.230(9) to SCC 30.61.230(6) due to the amendments in SCC 30.61.230 which result in a renumbering of the subsection.

Section 24. Amendments to SCC 30.66B.160 are necessary to change a cross-reference from SCC 30.61.230(9) to SCC 30.61.230(6) due to the amendments in SCC 30.61.230 which result in a renumbering of the subsection.

Section 25. Amendments to SCC 30.66B.177 are necessary to change a cross-reference from SCC 30.61.230(9) to SCC 30.61.230(6) due to the amendments in SCC 30.61.230 which result in a renumbering of the subsection.

Section 26. Amendments to 30.66B.710 are necessary to change a cross-reference from SCC 30.61.230(9) to SCC 30.61.230(6) due to the amendments in SCC 30.61.230 which result in a renumbering of the subsection.

Section 27. Amendments to SCC 30.66B.720 are necessary to change a cross-reference from SCC 30.61.230(9) to SCC 30.61.230(6) due to the amendments in SCC 30.61.230 which result in a renumbering of the subsection.

Section 28. Amendments to SCC 30.71.020 are necessary to correct an inconsistency between SCC 30.50.040 and SCC 30.71.020 regarding the processing of building permit appeals subject to SEPA.

Section 29. Amendments to SCC 30.91L.170 are necessary to correct a typographical error in the figure showing front lot lines with respect to shared driveways.

Section 30. Provides a standard severability and savings clause.

Lead Agency: Snohomish County Department of Planning & Development Services

Threshold Determination: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) **IS NOT** required under RCW 43.21C.030(2)(c). This decision was made after review by Snohomish County of a completed environmental checklist and other information on file with this agency. This information is available for public review upon request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by June 28, 2010, to the responsible official at the address listed below.

Appeals: This DNS together with the subsequent legislative action by the County Council to amend the County Code may be appealed in the Superior Court of Snohomish County, at Everett, Washington, or to the Central Puget Sound Growth Management Hearings Board, as appropriate. **THIS DNS MAY BE APPEALED ONLY WHEN SUCH APPEAL IS COMBINED WITH THE APPEAL OF THE UNDERLYING ACTION PURSUANT TO SCC 30.73.100. THE APPEAL MUST BE FILED**

WITHIN 60 DAYS OF THE SECOND PUBLISHED NOTICE OF THE NOTICE OF ACTION ISSUED SUBSEQUENT TO THE FINAL DECISION BY THE COUNTY. The Notice of Action describing the final decision by the County to pursue or not pursue the proposed action will be published in the County's paper of record for two consecutive weeks. Any judicial appeal must be filed, along with a filing fee, with the Clerk of the Snohomish County Superior Court, 3000 Rockefeller Avenue, Everett, WA 98201-4046; phone: (425) 388-3466, or with the Central Puget Sound Growth Management Hearings Board, at 2329 One Union Square, 600 University St., Seattle, WA 98101-1129, as appropriate, within 60 days following publication in the paper, or as otherwise stated in the Notice of Action or provided by law.

Responsible Official: Larry W. Adamson, AICP
Position/Title: Acting Director, Department of Planning & Development Services
Address: 3000 Rockefeller Avenue, M/S #604
Everett, WA 98201-4046



Larry W. Adamson, AICP, Acting Director

For further information, contact David Killingstad, Planning and Development Services, (425) 388-3311.

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Date Published: June 14, 2010

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